

2. Sep. 2008 12:57

PEARL COHEN ZEDEK LATZER

RECEIVED
CENTRAL FAX CENTER
SEP 02 2008

No. 5007 P. 3

PTO/SB/31 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) P-4739-US	
In re Application of MOUTSATSOS, Ioannis Et al.			
Application Number 09/148,234		Filed September 4, 1998	
For GENETICALLY ENGINEERED CELLS WHICH EXPRESS BONE MORPHOGENIC PROTEINS			
Group Art Unit 1633	Examiner	ILEANA POPA	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated, April 1, 2008, rejecting the following claims: 24-28

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 510

☐ Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: _____

☐ A check in the amount of the fee is enclosed.

☐ Payment is by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3355. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

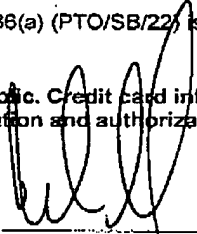
☐ applicant.

☐ assignee of record of the entire interest.

☐ attorney or agent of record.

☒ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a).


Signature
Name: Mark S. Cohen Reg. No. 42,425
Typed or printed name

Pearl Cohen Zedek Latzer, LLP
1500 Broadway, 12th Floor
New York, New York 10036
Tel: (646) 878-0800
Fax: (646) 878-0801

September 2, 2008
Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

09/03/2008 VBUI11 00000016 503355 09148234

02 FC:1401 510.00 DA